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By:  Watson S.B. No. 867

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of certain child-care facilities and homes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 42.0421, Human Resources Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  The commission shall inform licensed and registered child-care facilities about how to use the annual minimum training required by this section to satisfy the training requirements to earn the Child Development Associate (CDA) credential.

SECTION 2.  Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.04211 to read as follows:

Sec. 42.04211.  PRESERVICE TRAINING FOR LISTED FAMILY HOMES. (a) The executive commissioner by rule shall require the caretaker of a listed family home to complete preservice training on:

(1)  the developmental stages of children;

(2)  age-appropriate activities for children;

(3)  positive guidance and discipline of children;

(4)  the fostering of children's self-esteem;

(5)  supervision and safety practices in caring for children;

(6)  positive interactions with children; and

(7)  preventing and controlling the spread of communicable disease, as defined by Section 81.003, Health and Safety Code, including immunization.

(b)  The executive commissioner by rule shall require the caretaker of a listed family home who provides care for a child younger than 24 months of age to complete one hour of preservice training on:

(1)  recognizing and preventing shaken baby syndrome;

(2)  understanding and using safe sleeping practices;

(3)  preventing sudden infant death syndrome; and

(4)  understanding early childhood brain development.

(c)  The caretaker of a family home shall complete the preservice training before the department may list the caretaker's home.

SECTION 3.  Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.04413 to read as follows:

Sec. 42.04413.  LISTED FAMILY HOME SITE VISITS. Before the department may list a caretaker's home, the department shall conduct a site visit of the home to ensure that the home does not have a health or safety hazard on the property. If the caretaker of a listed family home moves, the department shall conduct a site visit of the caretaker's new home not later than the 30th day after the date the caretaker begins providing child-care services in the new home.

SECTION 4.  Section 42.052(i), Human Resources Code, is amended to read as follows:

(i)  The department shall provide to a listed family home a copy of the listing.  A listing must contain a provision that states:  "THIS HOME IS A LISTED FAMILY HOME.  IT IS NOT LICENSED OR REGISTERED WITH THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.  IT HAS UNDERGONE AN INITIAL SITE VISIT BUT [~~NOT BEEN INSPECTED AND~~] WILL NOT BE INSPECTED."  The operator of a listed home is not required to display the listing in a prominent place at the home but shall make the listing available for examination.  The executive commissioner by rule shall provide for a sufficient period to allow operators of family homes to comply with the listing requirement of this section.

SECTION 5.  Section 42.0522(b), Human Resources Code, is amended to read as follows:

(b)  A family home may not place a public advertisement that uses the title "listed family home" or any variation of that phrase unless the home is listed as provided by this chapter.  Any public advertisement for a listed family home that uses the title "listed family home" must contain a provision in bold type stating:  "THIS HOME IS A LISTED FAMILY HOME.  IT IS NOT LICENSED OR REGISTERED WITH THE DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES.  IT HAS UNDERGONE AN INITIAL SITE VISIT BUT [~~NOT BEEN INSPECTED AND~~] WILL NOT BE INSPECTED."

SECTION 6.  (a) The changes in law made by this Act apply to family homes listed before, on, or after the effective date of this Act.

(b)  The caretaker of a family home listed before the effective date of this Act shall complete the preservice training required by Section 42.04211, Human Resources Code, as added by this Act, not later than December 1, 2019.

(c)  Not later than March 1, 2020, the Department of Family and Protective Services shall conduct the site visit required by Section 42.04413, Human Resources Code, as added by this Act, of each family home listed before the effective date of this Act.

SECTION 7.  This Act takes effect September 1, 2019.